

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-45714-2019

Date of Decision:28.11.2019

Jatinder Singh

...Petitioner

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Vishal, Advocate for
Mr.Naresh Gopal Sharma, Advocate for the petitioner.
Mr.Hittan Nehra, Addl. A.G., Punjab.

ANIL KSHETARPAL, J.

On 25.10.2019, following order was passed by this Court:-

“Petitioner prays for grant of pre-arrest bail in FIR No.0161, dated 17.08.2019, registered under Sections 21 and 25 of the NDPS Act, 1985, at Police Station Khanna City-2, District Ludhiana.

As per the case of the prosecution, 2 persons were seen coming on a motorcycle and on seeing the police barrier, they stopped the vehicle and the person who was driving had run away, whereas person sitting on pillion was apprehended with 40 gram heroine which is not a commercial quantity. FIR further records that on enquiry from Gurnam Singh, name of the person who ran away was disclosed as Chhota Singh son of Pappu Rickshaw Wala, resident of Bhagat Singh Colony, near Annu Karyana Store, Amloh Road, Khanna, Police Station City-2, Khanna.

Learned counsel for the petitioner contends that the petitioner is Jatinder Singh son of Paramjit Singh and not Chhota Singh son of Pappu Rickshaw Wala. Address given in the petition is also different from address mentioned in the FIR.

Gurnam Singh from whom the recovery has been made

has already been arrested and released on bail.

Learned State counsel, on instructions from SI Harpal Singh, has submitted that the petitioner-Jatinder Singh is also known as Chhote Singh, however, the police official present in court is not able to say anything with certainty.

Keeping in view the facts of the case, the petitioner is directed to join investigation. In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

Adjourned to 28.11.2019.

The Investigating Officer is called upon to file affidavit explaining as to how the petitioner is sought to be implicated.”

Affidavit of Sub Inspector Keemati Lal has been filed, wherein it has been stated that Jatinder Singh is also known as Chhota Singh and is involved in another case under the Narcotic Drugs and Psychotropic Substances Act, 1985.

The affidavit is stated to have been filed after verification from the Municipal Councillor.

In view thereof, there is no ground to grant pre-arrest bail to the petitioner.

Dismissed.

28.11.2019
mks

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No